

BILL NO. S-90-08-21

SPECIAL ORDINANCE NO. S-213-90

AN ORDINANCE approving the awarding of Reference #955 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and UNDERGROUND PIPE & VALVE, INC. for the Water Maintenance & Service Department.

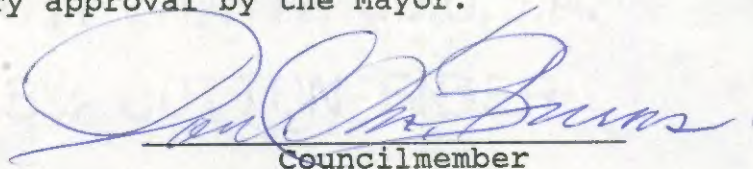
NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That Reference #955 between the City of Fort Wayne, by and through its Department of Purchasing and UNDERGROUND PIPE & VALVE, INC. for the Water Maintenance & Service Department, respectfully for:

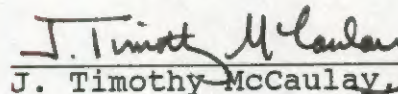
the purchase of fire hydrants for the Water Maintenance & Service Department;

involving a total cost of Sixty-Three Thousand Two Hundred Fifty and no/100 Dollars (\$63,250.00), all as more particularly set forth in said Reference #955 which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.


Councilmember

APPROVED AS TO FORM
AND LEGALITY


J. Timothy McCaulay, City Attorney

REF. NO.:	955
DEPT.:	W M & S
DATE:	8/6/90
ITEM/SERV.:	FIRE HYDRANTS

PURCHASING INFORMATION

ADVERTISED BID:	YES
DATES ADVERTISED:	6/29/90 & 7/6/90
OPENING DATE:	7/19/90
WRITTEN QUOTE:	
DUE DATE:	
VERBAL QUOTE:	
SINGLE SOURCE:	
NO. OF VENDORS NOTIFIED:	13
NO. OF VENDORS RECEIVING BID:	6
NO. OF VENDORS RETURNING BID:	4
NO. OF VENDORS DISQUALIFIED:	0
NO. OF VENDORS NOT RESPONDING:	9
DATE SENT TO DEPT FOR RECOMM.:	7/24/90
DATE RECOMMENDATION REC'D IN PURCH:	7/30/90
COUNCIL INFORMATION	DATES SENT EXTENSION DATES
DATE INFO SENT TO LAW DEPT.:	8/6/90
INTRODUCTION DATE:	8/14/90
DISCUSSION DATE:	8/21/90
PASSAGE DATE:	8/28/90
ORDINANCE NO.:	

REFERENCE NO. 955
 WATER MAINTENANCE
 FIRE HYDRANTS

SIZE	QTY	TREATY	AMERICAN DARLING	UNDERGROUND	E J P MIDWEST
5 1/2' BURY	100	\$543.41 \$54,341.00	\$557.28 \$55,728.00	\$510.00 \$51,000.00	\$523.50 \$52,350.00
BRAND		MUELLER	AMER DARLING	CLOW KENNEDY	WATEROUS
MODEL #		CENTURION 200	B62B TM	F2500 K81A	WB-67
4 1/2' BURY	25	\$520.98 \$13,024.50	\$534.06 \$13,351.50	\$490.00 \$12,250.00	\$501.35 \$12,533.75
BRAND		MUELLER	AMER DARLING	CLOW KENNEDY	WATEROUS
MODEL #		CENTURION 200	B62B TM	F2500 K81A	WB-67
TOTAL		\$67,365.50	\$69,079.50	\$63,250.00	\$64,883.75
DELIVERY TIME		3-5 WKS	8 WKS	STK-2 WKS	STK-4 WKS

FRONT PAGE/INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
PHONE 219-427-1101

BID OPENING DATE 7-19-90 @ 11:00 AM BID REFERENCE # 955

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER".

THIS INVITATION FOR BID IS FOR FIRE HYDRANTS PER SPECIFICATIONS

AND REQUESTED BY WATER MAINTENANCE & SERVICE

THIS BID REQUIRES A XXXX 5% BID BOND, CERTIFIED OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: _____% IF PAID WITHIN Net 30 DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME Underground Pipe & Valve, Inc

STREET ADDRESS 617 Ley Road

CITY Fort Wayne PHONE # (219) 483-1457

BY James P Butler
REPRESENTATIVE SIGNATURE

RUBBER GASKETS AND SETSCREW RETAINER GLANDS, DESIGNED TO FIT BOTH CENTRIFUGAL AND SAND CAST PIPE.

THE FOLLOWING FIRE HYDRANTS, OR APPROVED EQUALS, ARE THE ONLY FIRE HYDRANTS WHICH WILL BE ACCEPTED FOR USE IN CONNECTION WITH WATER MAIN INSTALLATION:

BRAND NAME

CATALOG NO.

AMERICAN
CLOW
KENNEDY
MUELLER
WATEROUS

B-62-B
F-2500
K-81A
CENTURION-200
WB 67

QTY	UNIT	FIRE HYDRANTS	COST	/ TOTAL
100	EA+/-	5 1/2' BURY, COMPLETE	\$ <u>510⁰⁰</u>	\$ <u>51,000</u>
25	EA+/-	4 1/2' BURY, COMPLETE	\$ <u>490⁰⁰</u>	\$ <u>12,250</u>
GRAND TOTAL:				\$ <u>63,250</u>

5 1/2' BURY - BRAND CLOW MODEL # F2500
KENNEDY MODEL # K81A
4 1/2' BURY - BRAND CLOW MODEL # F2500
KENNEDY MODEL # K-81A
STOCK AT WAYNE YARD

DELIVERY TIME ARO: TO 2 WEEKS FOB: FT WAYNE

TERM OF AGREEMENT: FROM TIME OF AWARD THRU 12-31-90

NOTE: WE ARE AN AUTHORIZED DISTRIBUTOR FOR BOTH CLOW VALVE CO AND KENNEDY VALVE CO AND WE RESERVE THE RIGHT TO FURNISH EITHER BRAND OR BOTH BRANDS OR SOME OF BOTH BRANDS OF THE APPROVED HYDRANTS

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.3)
(Please type or print)

Date: 7/19/90
 1. Governmental Unit: Dept. of Purchasing City of Fort Wayne
 2. County: Allen County
 3. Bidder (Firm): Underground Pipe & Valve, Inc.
 Address: 617 Ley Road
 City/State: Fort Wayne, IN.
 4. Telephone Number: (219) 483-1457
 5. Agent of Bidder (if applicable): N/A

Pursuant to notices given, the undersigned offers bid(s) to Dept. of Purchasing (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

James P. Butler
 Signature of Bidder or Agent

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount
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SEE ATTACHED

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)
) SS:
St. Joseph COUNTY)

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

Underground Pipe & Valve, Inc.
 Bidder (Firm)

James P. Butler
 Signature of Bidder or Agent

Subscribed and sworn to before me this 18 day of July, 1990.

My Commission Expires: Sept 9, 1992

County of Residence: St. Joseph

Helen Luck
 Notary Public

Helen Luck
 Notary Public Printed Name

ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered _____ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Members:

Date: _____

AMERICAN STATES INSURANCE COMPANY

INDIANAPOLIS, INDIANA

BID OR PROPOSAL BOND

Know all Men by these Presents,

That we, UNDERGROUND PIPE & VALVE, INC.

of SOUTH BEND, INDIANA (hereinafter called the Principal),
as Principal, and AMERICAN STATES INSURANCE COMPANY (hereinafter called the
Surety), as Surety, are held and firmly bound unto

CITY OF FORT WAYNE, FORT WAYNE, INDIANA

(hereinafter called the Obligee) in the penal sum of 5% of amount bid

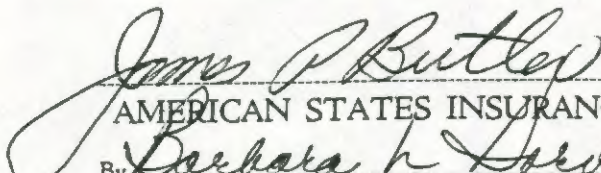
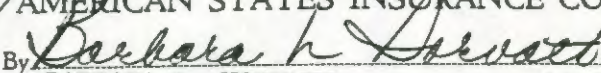
 Dollars (\$) for the payment of which the Principal
and the Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly
and severally, firmly by these presents.

SIGNED and SEALED this 19th day of July 19 90.

THE CONDITION OF THIS OBLIGATION IS SUCH, That, whereas the Principal
has submitted or is about to submit a proposal to the Obligee on a contract for
fire hydrants

NOW, THEREFORE, if the said contract be timely awarded to the Principal and the Princi-
pal shall, within such time as may be specified, enter into the contract in writing, and give bond, if
bond be required, with surety acceptable to the Obligee for the faithful performance of the said con-
tract, then this obligation shall be void; otherwise to remain in full force and effect.

UNDERGROUND PIPE AND VALVE, INC.


AMERICAN STATES INSURANCE COMPANY
By 
BARBARA L. HORVATH, Attorney-in-Fact



American States Insurance Company

INDIANAPOLIS, INDIANA

KNOW ALL MEN BY THESE PRESENTS, that American States Insurance Company, a Corporation duly organized and existing under the laws of the State of Indiana, and having its principal office in the City of Indianapolis, Indiana, hath made, constituted and appointed, and does by these presents make, constitute

and appoint _____

LYMAN C. CURTIS, PEGGY L. MILLER, CURTIS A. FEY AND BARBARA L. HORVATH

(Jointly or Severally)

of South Bend and State of Indiana
its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, contracts of indemnity and other conditional or obligatory undertakings, provided, however,
that the penal sum of any one such instrument executed hereunder shall not exceed

TWO HUNDRED FIFTY THOUSAND AND NO/100 (\$250,000.00) DOLLARS

and to bind the Corporation thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the common seal of the Corporation and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. This Power of Attorney is executed and may be revoked pursuant to and by authority granted by Section 7.07 of the By-Laws of the American States Insurance Company, which reads as follows:

"The Chairman, the President or any vice-president (including any Executive Vice President, Senior Vice President, Second Vice President or Assistant Vice President) shall have power, by and with the concurrence with the any other officer of the Corporation, to appoint Attorneys-in-Fact as the business of the Corporation may require and to authorize any such person to execute, on behalf of the Corporation, any bonds, recognizances, stipulations and undertakings, whether by way of surety or otherwise."

IN WITNESS WHEREOF, American States Insurance Company has caused these presents to be signed by its Vice-President, attested by its

Assistant Vice-President and its corporate seal to be hereto affixed this 2nd day of May

A.D. 19 89

AMERICAN STATES INSURANCE COMPANY

ATTEST: [Signature]
Assistant Vice-President

By [Signature]
Second Vice-President



STATE OF INDIANA }
COUNTY OF MARION } SS

On this 2nd day of May, A.D., 19 89, before me personally came

Joseph F. Heim, to me known, who being by me duly sworn, acknowledged the execution of the above instrument and did depose and say; that he is a Vice-President of American States Insurance Company; that he knows the seal of said Corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of the Board of Directors of said Corporation; and that he signed his name thereto under like authority. And said

Joseph F. Heim further said that he is acquainted with John J. Rosich and knows him to be the Assistant Vice-President of said Corporation; and that he executed the above instrument.

MY COMMISSION EXPIRES

FEBRUARY 5, 1993
My Commission Expires

[Signature]
Notary Public



STATE OF INDIANA }
COUNTY OF MARION } SS

I, John J. Rosich, the Assistant Vice-President of AMERICAN STATES INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said AMERICAN STATES INSURANCE COMPANY, which is still in force and effect.

This Certificate may be signed and sealed by facsimile under and by the authority of Section 8.03 of the By-Laws of AMERICAN STATES INSURANCE COMPANY which reads as follows:

"All policies and other instruments of insurance issued by the Corporation shall be signed on behalf of the Corporation by the Chairman, the President or any vice-president (including any Executive Vice President, Senior Vice President, Vice President, Second Vice President or Assistant Vice President) and the secretary, or an assistant secretary, or other officer, whose signatures, if the instrument is duly countersigned by an authorized representative of the Corporation, may be facsimiles. Such signatures and facsimiles thereof shall be authorized and binding upon the Corporation notwithstanding the fact that any such officer shall have ceased to be such officer at the time such policy or other instrument of insurance shall have been actually issued by the Corporation."

In witness whereof, I have hereunto set my hand and affixed the seal of said Corporation, this 19th day of July

A.D., 19 90

[Signature]
Assistant Vice-President



Read the first time in full and on motion by Burns, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on City of Fort Wayne (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 8-14-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Burns, seconded by Talarico, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>8</u>			<u>1</u>
BRADBURY	<u>✓</u>			
BURNS	<u>✓</u>			
EDMONDS	<u>✓</u>			
GIAQUINTA				<u>✓</u>
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
REDD	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 8-28-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. S-213-90 on the 28th day of August, 1990,

Sandra E. Kennedy ATTEST
SANDRA E. KENNEDY, CITY CLERK

SEAL
Charles S. Reed
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of August, 1990, at the hour of 11:00 o'clock A. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 31st day of August, 1990, at the hour of 3:30 o'clock P. M., E.S.T.

PAUL HELMKE
PAUL HELMKE, MAYOR

DIGEST SHEET

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Ref. No. 955 for the purchase of fire hydrants for the Water Maintenance & Service Dept. The cost reflects the lowest and most responsive of four (4) vendors.

IF NOT LOWEST, WHO WAS AND WHY WERE THEY NOT AWARDED:

EFFECT OF PASSAGE: Fire hydrants will be used to replace obsolete hydrants and also to install new hydrants.

S-50-08-21

EFFECT OF NON-PASSAGE: We would have fire hydrants that would not work and could endanger life and property.

MONIES INVOLVED: Underground \$63,250.00 +/-

PRICE AGREEMENT: Yes

PURCHASE ORDER:

SOURCE OF FUNDING: W M & S 513-523-W154-4299

PRIOR APPROVAL:
(IF APPLICABLE)

DATE:

BILL NO. S-90-08-21

REPORT OF THE COMMITTEE ON CITY UTILITIES

PAUL M. BURNS, CHAIRMAN
MARK E. GIAQUINTA, VICE CHAIRMAN
HENRY, LONG, TALARICO

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) approving the awarding
of Reference #955 by the City of Fort Wayne, Indiana, by and
through its Department of Purchasing and UNDERGROUND PIPE & VALVE,
INC. for the Water Maintenance & Service Department

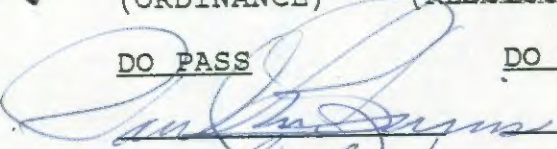

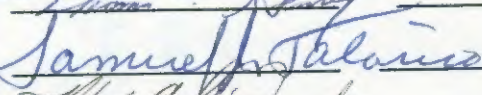
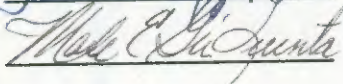
HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~) _____

DO PASS

DO NOT PASS

ABSTAIN

NO REC

	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

DATED: 8-28-90.

Sandra E. Kennedy
City Clerk